

Minority Media and Telecommunications Council

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August 23, 2012

Marlene Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

RE: Notice of *Ex Parte* Communication EB Docket No. 04-296 (Emergency Alert System)
and EB Docket No. 06-119 (Independent Panel Reviewing Impact of Hurricane Katrina)

Dear Ms. Dortch:

This reports on a call held August 22, 2012 with Lisa Fowlkes, Deputy Chief of the Public Safety and Homeland Security Bureau and Greg Cooke, Associate Division Chief of the Policy and Licensing Policy Division.

On the call, I clarified MMTC's position with respect to emergency communications and the emergency alert system.

- The Commission should use the designated hitter paradigm¹ to ensure that broadcasters provide radio listeners with access to multilingual emergency information during and

¹ See MMTC Notice of Ex Parte Communications, EB Docket No. 04-296 et al. (filed Aug. 12, 2011), available at <http://apps.fcc.gov/ecfs/document/view?id=7021702271> (last visited Aug. 17, 2012). Requesting a Further NPRM in EB Docket No. 04-296, the seventh proposals urges the Commission to grant the Katrina Petition and require multilingual emergency broadcasting on a "designated hitter" model during and in the critical days after emergencies such as hurricanes: "A radio station serving as a designated hitter would air programming in another language during regular segments throughout the hour (e.g. "on the eights") in cooperation, where possible, with other radio stations in the market which broadcast in that language (utilizing, for example, their staffs) when, during or in the wake of the emergency, there is no other source of emergency radio programming in the covered language. Covered languages would consist of those (which are spoken by 5% of the market's population or 50,000 people in the market, whichever is less (approximating analogous federal voting rights policies). This initiative could be effectuated by requiring states to amend their EAS plans, many of which are in need of modernization in any event, to require broadcasters to coordinate regarding the designated hitter process. Further, the Commission could express its willingness to offset a radio station's costs of service as a designated hitter in an actual emergency by waiving or reducing subsequent regulatory fees for

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after an emergency as part of the FCC's public interest obligations. MMTC also asks that the FCC use the EAS rules as a jurisdictional template to develop the system and to ensure that when emergency alerts are issued, they are transmitted and distributed in multiple languages.

- The public interest would be served by requiring broadcasters to communicate with each other and have plan to serve the entire community during and after an emergency. Plans should build in redundancies and designate a succession of stations that could act as designated hitters.
- Implementing a planning process with built in redundancies to develop an emergency communication system that originates and delivers multilingual emergency information is superior to proposals to drop in a station in a box. During emergencies agencies and communities are already scrambling, the box could be damaged upon reaching the ground, and there may not be anyone with the necessary skills available to operate the station once it is on the ground.
- MMTC also advocates that Presidential level messages should be broadcast in Spanish and English. While FEMA, NWS, and state and local agencies have a role in originating and delivering these messages, we also need leadership from the FCC to ensure that a plan is in place. Radio is a great local medium that can break down Presidential level messages to provide up to date information relevant to keeping their communities safe when an emergency strikes.

Respectfully submitted,

Jacqueline Clary

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John W. Jones Fellow, MMTC

Cc: Lisa M. Fowlkes
Greg Cooke

that station for one year.” Id. See also Petition for Immediate Interim Relief, Review of the Emergency Alert System, EB Docket No. 04-296 (Sept. 20, 2005), available at <http://mmtconline.org/lp-pdf/EASPetition.pdf> (last visited Aug. 17, 2012).